

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appl. No.: 10/786,364

Attorney Docket No.: Q80031

AMENDMENTS TO THE DRAWINGS

Applicant hereby submits one formal replacement sheet for Figure 8.

Attachment: One Replacement Sheet

REMARKS

Claims 1-4 have been examined.

I. Preliminary Matters

The Examiner has objected to Figure 8 as not containing reference numeral “12” disclosed on page 15 of the specification. As shown in Figure 8, reference numeral “2” is inadvertently used instead of reference numeral “12.” Accordingly, Applicant submits herewith a formal replacement drawing of Figure 8 with reference numeral “12” properly depicted therein.

Also, the Examiner has objected to the claims due to minor informalities. Accordingly, Applicant has amended the claims in a manner believed to overcome the objection. Applicant has also further amended the claims for reasons of clarity and precision of language.

II. Rejections under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 2-4 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Accordingly, Applicant has amended the claims in a manner believed to overcome the rejection.

III. Rejections under 35 U.S.C. § 103(a) in view of U.S. Patent No. 6,115,382 to Abe (“Abe”) and U.S. Publication No. 2002/0150108 to Nattkemper (“Nattkemper”)

The Examiner has rejected claims 1-3 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Abe in view of Nattkemper.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited references. For example, claim 1 recites that the remote access server has, “divided circuit resources that are provided between physical link resources to each of said terminal devices and logical link resources to said ISP server.”

In regard to the above features of claim 1, the Examiner refers to the select endpoints of Figure 4 of Abe as the physical link resources. As set forth in the reference, however, the NEs 202 (alleged ISP server) are endpoints of the PVC connection between a particular terminal 204 (alleged terminal device) and the NEs 202, as opposed to a physical link resource between the particular terminal 204 and the NMS server 201 (alleged remote access server). Thus, there is no apparent division between the physical link resources of the terminal devices to the remote access server and the logical link resources from the remote access server to an ISP server, as set forth in claim 1. Accordingly, there is likewise no teaching or suggestion of releasing the physical link resource of the terminal device (204) while maintaining connection of the logical link resource to the alleged ISP server (202).

Claim 1 also recites, “wherein a logical link resource number, which is the number of said logical link resources, is set greater than a physical link resource number, which is the number of said physical link resources.”

The Examiner maintains that the above recitation is in the preamble and further contends that the feature is a type of obvious design choice. Application submits, however, that the recitation is not in the preamble of claim 1. Furthermore, as set forth in the non-limiting

embodiment on page 6, lines 14-17 of the present invention, since a greater number of logical link resources are installed as compared to a number of physical link resources, the number of simultaneous connections is increased and loss probability is reduced.

Since Nattkemper fails to cure the above deficient teachings of Abe, Applicant submits that claim 1 is patentable over the cited references.

B. Claims 2 and 3

Since claims 2 and 3 contain features that are analogous to the features discussed above for claim 1, Applicant submits that claims 2 and 3 are patentable for at least analogous reasons as claim 1.

IV. Rejections under 35 U.S.C. § 103(a) in view of Abe, Nattkemper and U.S.

Publication No. 2002/0131430 to Lindquist ("Lindquist")

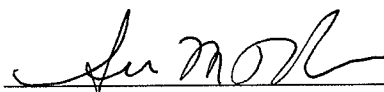
The Examiner has rejected claim 4 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Abe, Nattkemper and Lindquist. Since claim 4 contains analogous features as discussed above regarding claim 1, and Lindquist fails to cure the deficient teachings of Abe and Nattkemper, at least in regard to claim 1, Applicant submits that claim 4 is patentable for at least analogous reasons as claim 1.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Allison M. Tulino
Registration No. 48,294

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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